

ESTTA Tracking number: **ESTTA767819**

Filing date: **08/31/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91229173
Applicant	Defendant ICEE Holdings Pty Ltd as trustee for The ICEE Holdings Unit Trust
Other Party	Plaintiff ICEE of America, Inc.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 09/06/2016. ICEE Holdings Pty Ltd as trustee for The ICEE Holdings Unit Trust requests that such date be extended for 30 days, or until 10/06/2016, and that all subsequent dates be reset accordingly.

Time to Answer :	10/06/2016
Deadline for Discovery Conference :	11/05/2016
Discovery Opens :	11/05/2016
Initial Disclosures Due :	12/05/2016
Expert Disclosure Due :	04/04/2017
Discovery Closes :	05/04/2017
Plaintiff's Pretrial Disclosures :	06/18/2017
Plaintiff's 30-day Trial Period Ends :	08/02/2017
Defendant's Pretrial Disclosures :	08/17/2017
Defendant's 30-day Trial Period Ends :	10/01/2017
Plaintiff's Rebuttal Disclosures :	10/16/2017
Plaintiff's 15-day Rebuttal Period Ends :	11/15/2017

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

ICEE Holdings Pty Ltd as trustee for The ICEE Holdings Unit Trust has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

ICEE Holdings Pty Ltd as trustee for The ICEE Holdings Unit Trust has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/tjk/

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08/31/2016